



27 MAY 2008

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In re Application of	:	DECISION ON
BRADLEY et al	:	
Application No.: 10/575,061	:	
PCT No.: PCT/GB2004/004313	:	
Int. Filing Date: 11 October 2004	:	PETITION UNDER
Priority Date: 09 October 2003	:	
Attorney Docket No.: 15271.0012USWO	:	
For: MEASUREMENT OF MELTING POINTS OF	:	
SAMPLES	:	37 CFR 1.182

This is in response to applicants' submission "RENEWED PETITION UNDER 37 C.F.R. 1.181," filed on 04 January 2008, which is being treated as petition under 37 CFR 1.182. This submission states that the correct applicant's name is Jean-Francois THABURET not Jeff-Francois THABURET for the second joint inventor. The petition fee of \$400.00 has been charged petitioner's Deposit Account No.: 13-2725 as stipulated on the petition.

### **BACKGROUND**

In a 09 July 2007 decision from this Office, the decision indicated that the application could not enter into national stage at that time since it was unclear if the current name was a result of a to a incorrect name filed or typographical error.

On 04 January 2008, applicant filed a petition under 37 CFR 1.182 indicating that the correct name is "Jean-Francois THABURET" and not as listed "Jeff-Francois THABURET."

### **DISCUSSION**

The correct name of the second inventor is "Jean-Francois THABURET" as indicated in the declaration submitted. The affidavit provided states that his correct and legal name is Jean-Francois THABURET and not Jeff, which is informal name and was the name he was introduced to his attorney. Jean's correct name will be reflected in the U.S. national stage processing.

However, the declarations filed on 04 January 2008 is defective since they do not comply with 37 CFR 1.497(a)(3). A Declaration, under 37 CFR 1.497(a)(3), must identify each inventor. See MPEP § 602. In this instance, petitioner submitted a composite declaration comprising of only one complete correct executed declaration signed by Jean-Francois THABURET. The composite executed declaration filed on 21 February 2007 and signed by Mr. Bradley is defective as explained in the decision mailed by this Office on 09 July 2007 because it has been improperly altered.

Accordingly, the application may not enter into national stage processing at this time because an improperly composite executed declaration has been submitted.

**DECISION**

The petition under 37 CFR 1.182 is **DISMISSED**, without prejudice.

A proper response to this communication is a new declaration, which must be filed within TWO (2) MONTHS from the mail date of this communication. Failure to respond will result in the abandonment of the application.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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